



DEPARTMENT OF STATE
BRIEFING MEMORANDUM

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DEPARTMENT OF STATE A/CDC/MR

REVIEWED BY

W. C. NEWMAN 4/28/82

July 19, 1977

To: The Secretary
Through: The Deputy Secretary
From: D/HA - Patricia Derian

Status Report on U.S. Policy on Human
Rights: Actions Being Taken

Since my previous report to you last month, the following actions have been taken in further response to the Deputy Secretary's memorandum of May 3.

1. Communications of Policy to All Posts

A. The President's Notre Dame Speech was dispatched to all posts.

B. A cable has been prepared requesting information on actions taken in response to previous cables directing the Ambassador to take personal responsibility for human rights reporting and for assuring Embassy personnel awareness of our human rights policy developments and of recent legislative and international legal developments in the human rights field and for maintaining increased contact with groups and individuals active in the human rights field.

C. In keeping with review of security and economic assistance human rights requirements, posts have been informed of continuing intention to have human rights concerns carefully considered in development of FY 1979 budget requests.

2. Action with Respect to Individual Countries

A. All but one of the regional bureaus have submitted initial three draft evaluation papers, prepared in the bureaus and sent to the posts for comment. Additional papers from the bureaus have begun to arrive; 27 of 38 from EUR, 7 of 30 from ARA, 16 of 47 from Africa, 1 of 24 from EA and 19 of 26 from NEA.

*EA's are expected shortly

Comments on each report are being prepared for improvement, particularly in the area of recommendations. Papers will then be discussed at the Human Rights Coordinating Group.

B. The initial drafts already demonstrate the capability of determining the human rights conditions, the government's role, the potential objectives and the tools at our disposal for pursuing those objectives. This process not only will provide a means of developing positive individual human rights strategies but also will, as the reporting sections are updated, enable us to present more complete unclassified reports to the Congress at the proper time.

C. Major gaps in initial reports are in the lack of detailed recommendations and the absence of non-governmental organization information.

D. D/HA has been active in encouraging vigorous response by bureaus to developing human rights related issues; e.g., recommendations for visits by human rights victims or advocates with high-level Administration officials, El Salvador threats to Jesuits, South Africa trial of anti-apartheid leader, etc.

3. Coordination of Policy

A. The State Department has directed the process of responding to NSC request for a policy review memorandum (PRM 28) on human rights and foreign policy. Two special coordinating committee sessions have considered successive drafts after Departmental consideration. Continuing departmental and interagency comment is anticipated with a final draft intended to be submitted shortly after the return of the Deputy Secretary later this month.

B. The Inter-Agency Committee on Human Rights and Foreign Assistance met 2 times last month with full representation to consider both pending loans before international financial institutions and pending AID projects. Since the Inter-Agency Committee was created, it has met 4 times and taken action on 45 loans, including recommendations of 6 abstentions,

1/ Ethiopia-2, Benin-2, Argentina-2

15 ^{2/}demarches, and producing the withdrawal or delay of 8 ^{3/}loans by countries against whom negative votes otherwise would have been cast on human rights grounds.

C. Internally, an ad hoc working committee which D/HA and EB co-chair has made initial recommendations on these matters, while filtering out hundreds of loans to countries where all agreed that the human rights situation did not cause sufficient concern to warrant review of loans by the Inter-Agency Committee. Where serious Departmental disagreement over an issue occurs, a meeting of the Human Rights Coordinating Group has met to determine a departmental position. This ad hoc group now also is aided in making its determinations by the draft evaluation reports on individual countries' human rights conditions previously mentioned. The group is considering AID, IFI- and where appropriate, EX-IM proposals as well. D/HA is working with EX-IM to provide early warning on proposals requiring fuller consideration.

D. The Human Rights Coordinating Group also has met three times with representation by either Assistant or Deputy Assistant Secretaries to consider human rights and economic assistance issues and also to provide a Departmental forum for discussion of the PRM and other human rights matters.

E. In the area of security assistance policy, D/HA has been serving as a member of the Arms Export Control Board and its various working groups. Policy guidelines can be discussed in this setting and in such other fora as may be necessary to assure adequate resolution of human rights matters.

F. The first seminar on human rights was conducted by the Foreign Service Institute in collaboration with D/HA and produced positive results. Further efforts in this area are being planned.

4. Economic Assistance

A. AID is in the process of preparing its program for the coming fiscal year in which human rights factors will be integrated into the decision-making on the kinds of programs and the levels in

^{2/} Afghanistan, Argentina, Benin, Brazil, Chile, El Salvador, Ethiopia, Korea, Indonesia, Malawi, Nepal, Paraguay, Philippines, Romania, Thailand

^{3/} Paraguay-3, El Salvador-2, Argentina-3

various countries.

B. Proposals for "New Initiatives in Human Rights" have been submitted as part of this process.

C. A separate program in the area of women's rights also is being proposed.

C. AID programs are being reviewed by the ad hoc working group and the Inter-Agency Committee, where appropriate.

E. Multilateral Action:

i. Since the previous memorandum, we abstained on two Argentine loans in the World Bank on human rights grounds. In response to our indication of likely votes against Argentina in the IDB, the Argentine government withdrew several pending loans.

ii. The consideration of legislation on the IFI's has advanced to a conference between the House and the Senate with the likely result of an alteration in the current Harkin provision, permitting greater flexibility.

iii. Demarches also have been undertaken to several countries in relation to IFI actions, underscoring our human rights concerns.

iv. Paraguay, which previously had indicated a readiness to invite the IAHRC, has not done so after pressure from Brazil and Uruguay. Instead, facing our almost assured negative vote in the IDB in subsequent loans, it has chosen to withdraw those loans. Efforts continue to encourage an IAHRC visit.

5. Security Assistance

D/HA has continued to make recommendations concerning pending FY 77 FMS actions or commercial arms sales license approvals. In several instances, regional bureaus have concurred where objections were raised. In areas where no consensus could be obtained, decision papers are being prepared to resolve these matters.

6. Cooperation with the Congress and NGO's

A. H has been engaged daily in efforts to promote Administration objectives related to human rights matters in pending bills. Most currently are

awaiting final conference action or have been acted upon by the House and are awaiting Senate action.

B. H also is engaged in coordinating with the White House the effort to obtain ratification of the Genocide treaty. The possibility for success on this matter remains uncertain although it is moving steadily in our favor. Successful ratification is the first step before any firm planning can begin on the remaining covenants, and conventions in the human rights area.

C. D/HA has continued to meet often with NGO's and is seeking ways of increasing their cooperation...

7. Multilateral Diplomacy

A. The United Nations: Consultations are now beginning in preparation for the upcoming general assembly and in hopes of changes in the zionism-racism situation that could permit us to participate in the Decade.

B. The Organization of American States: Perhaps the most visible success of our early human rights effort has been the OAS General Assembly at Grenada. Your efforts there affirmed clearly our determination in the human rights area. The resulting atmosphere was essential for the subsequent approval of a strong resolution on human rights, supporting IAHRC, and rejecting efforts to justify violations.

C. UNESCO: The preparation for expanding the human rights activities of UNESCO is moving forward with preparatory meetings scheduled in August and the executive board meeting in September-October.

D. Efforts to promote an international legal defense fund are moving with L taking the lead.

8. CSCE and Improving U.S. Performance of American Rights

D/HA has been involved in the development of CSCE positions and in pressing for additional (now being undertaken) bilaterals prior to the fall meeting. As part of the process, a coordinating group to prepare detailed responses to charges of U.S. human rights violations has been established with participation from the Justice Department.

9. Public Diplomacy

Both as part of the PRM exercise and in response to tasking memorandum, the Department has undertaken a series of efforts to explore ways of improving public awareness and understanding of our human rights policy: (1) town meetings; (2) speeches by high-level Department spokesmen; (3) preparation of Q and A's on human rights for all Department spokesmen; (4) working with other bureaus in preparation of appropriate guidance; (5) survey of public attitudes on U.S. human rights policy, current results continuing to show overwhelming public support; (6) television interviews and (7) seminars and speeches on university campuses.

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